

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

PHILANDES WILLIAMS,

Plaintiff,

v.

Case Number 11-12375  
Honorable Thomas Ludington

ROBERT STERBA, et al,

Defendants.

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**ORDER DENYING PLAINTIFF'S MOTION TO APPOINT COUNSEL**

This matter is now before the Court on Plaintiff's motion for appointment of counsel on appeal. ECF No. 38. Plaintiff is appealing this Court's judgment dismissing his civil rights complaint filed under 42 U.S.C. § 1983. He requests appointment of appellate counsel. There is no right to counsel in prisoner civil rights cases and appointment of counsel is a privilege-not a constitutional right-that is justified only by exceptional circumstances. *Glover v. Johnson*, 75 F.3d 264, 268 (6th Cir.1996); *Lavado v. Keohane*, 992 F.2d 601, 605-06 (6th Cir. 1993). Plaintiff's motion, however, is not properly before this Court because Plaintiff's pro se appeal is pending in the United States Court of Appeals for the Sixth Circuit. *See Williams v. Sterb, et al.*, No. 11-2649. Thus, Plaintiff should address his request for appointment of counsel to that court.

Accordingly, it is **ORDERED** that Plaintiff's motion for appointment of counsel on appeal (ECF No. 38) is **DENIED**.

s/Thomas L. Ludington  
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THOMAS L. LUDINGTON  
United States District Judge

Dated: April 19, 2012

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney of record herein by electronic means and upon Philandes Williams, #213589 at Marquette Branch Prison, 1960 U.S. Hwy 41 South, Marquette, MI 49855 by first class U.S. mail on April 19, 2012.

s/Tracy A. Jacobs  
TRACY A. JACOBS